



# City of Richmond

## Report to Committee Planning and Development Division

**To:** Planning Committee  
**From:** Wayne Craig  
Director, Development

**Date:** March 7, 2016  
**File:** ZT 15-709967

**Re:** Application by Alex Jane (AWJ Investments Inc.) for a Zoning Text Amendment to the Auto-Oriented Commercial (CA) zone to permit a Retail Pawnshop at 3779 Sexsmith Road, Unit 2187

### Staff Recommendation

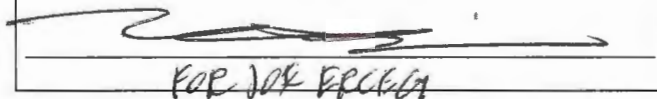
That Richmond Zoning Bylaw 8500, Amendment Bylaw 9528, for a Zoning Text Amendment to the "Auto-Oriented Commercial (CA)" zone to amend the regulations regarding the locational criteria for Retail Pawnshop uses be introduced and given first reading.

  
Wayne Craig  
Director, Development

WC:db

### REPORT CONCURRENCE

#### CONCURRENCE OF GENERAL MANAGER

  
FOR JOE FRICK

## **Staff Report**

### **Origin**

ALEX JANE (AWJ INVESTMENTS INC.) has applied to amend the “Auto-Oriented Commercial (CA)” zone of Zoning Bylaw 8500 to permit a retail pawnshop use at 3779 Sexsmith Road, Unit 2187. The application is to amend the regulations regarding the City’s locational criteria to allow a pawnshop at the subject site.

### **Findings of Fact**

The applicant had operated Richmond Pawnbrokers at 6892 No. 3 Road for approximately 11 years as a legally non-conforming use. The building where the firm was located was slated for demolition by June, 2015, forcing them to relocate. This site is currently being prepared for construction.

The business owner/operator was unable to find a suitable site that would also meet the locational criteria of the CA zone, after more than nine months of searching.

Recognizing the difficulties involved in finding a location for this use, the City’s Chief Business Licence inspector, in consultation with the Director of Development, agreed that AWJ Investments could relocate to 3779 Sexsmith Road, Unit 2187 in the “Continental Shopping Centre”. The operator was advised that a Zoning Text amendment application to allow the pawnshop use was required and that the decision on permitting the retail pawnshop use would rest with Council as this location does not meet the locational criteria of the CA zone. The business is currently operating under a “second hand retailer licence” (pending) which is a permitted use under the site’s current zoning.

Retail pawnshop uses are only permitted within the CA zone but the location of these uses is restricted in terms of proximity to certain uses. Specifically, under the existing CA zone a retail pawnshop cannot be located closer than 100 m from a residential or institutional zone and no closer than 1,500 m from a site specific zone that permits a casino.

On-going redevelopment in the City Centre has reduced the number of potential sites where pawnshop uses would be permitted to locate because of the locational criteria.

A Development Application Data Sheet providing details about the development proposal is attached (Attachment 1).

### **Surrounding Development**

The “Continental Shopping Centre” is located in Capstan Village sub area of the City Centre Planning Area. The parent property is zoned “Auto-Oriented Commercial (CA)”.

The Continental Shopping Centre’s lot is approximately 2.52 ha (6.23 ac) in area and has two (2), two-storey buildings containing a variety of auto-oriented commercial retail services. The strata unit proposed for the pawnshop use is located on the ground floor in the southern-most building (building “A” shown in Attachment 2) facing the interior parking area of the site.

To the North: Five single family lots zoned “Single Detached (RS1/F)” and a 1.37 ha (3.39 acre) under construction with three residential high rise towers on a site zoned “High Rise Apartment (ZHR12) – Capstan Village (City Centre)”.

To the South: Along the south side of Cambie Road are four large lots containing a funeral home zoned “Funeral Home Commercial (ZC2) – Aberdeen Village (City Centre)”, a self storage operation on a site zoned “Industrial Business Park (IB1)” and “LUC 039)” and a limited retail business park “Industrial Business Park Limited Retail (Z17) – Aberdeen Village (City Centre)”.

To the East: Eight single family lots zoned “Single Detached RS1/F” and a 760 m<sup>2</sup> (0.19 acre) corner lot zoned “School & Institutional Use (SI)” currently owned by the Pui Ying Christian Services Society. Just to the east of the residential lots is a 0.81 ha (2.0 acres) lot zoned “Assembly (ASY)” owned by the Congregation of the Richmond United Church of Canada.

To the West: A 1.36 ha (3.37 ac) site being developed as a park under a “School and Institutional Use (SI)” zone. The land and park design were established through Polygon’s “Avanti” residential development (RZ11-591985/DP12-612510). The City’s Parks Department will be undertaking the park construction.

The “Continental Shopping Centre”, has approximately 89 strata units. The range of businesses includes personal services (e.g., hair salon, bodycare laser clinic, optical store, etc.) specialty food stores, cafés and restaurants, health food stores, banking, general retail, a number of professional offices and a number of private education centres (e.g., ESL, tutoring, adult education).

### **Related Policies & Studies**

#### Official Community Plan

The Continental Shopping Centre’s lot is designated as “Mixed Use” in the Official Community Plan. This designation provides for residential, commercial, industrial, office and institutional uses. As a commercial use, the proposed retail pawnshop use conforms to the OCP’s Mixed Use designation.

#### City Centre Area Plan (Capstan Village)

Under the City Centre Area Plan Capstan Village Specific Land Use Map the Continental Shopping Centre’s lot is designated as “General Urban T4 (25m)”. This designation includes “retail trade & services” as one of the permitted uses. The proposed retail pawnshop use conforms to the CCAP’s General Urban Land Use designation.

### **Public Consultation**

As a Zoning Text amendment, this application will be subject to a public hearing process. No additional consultation processes are required under current City Consultation Policy No. 5043.

*Continental Shopping Centre Owners*

The City has received a letter of support for the proposed retail pawnshop use from the Continental Shopping Centre's Strata Corporation owners. A copy of the letter is provided in Attachment 4.

**Analysis***Location Criteria For Retail Pawnshops*

The CA zone is the only zone where a retail pawnshop is permitted. The analysis shows that there are very few sites that are CA zoned and meet all the locational criteria to allow a retail pawnshop. Attachment 5 shows the extent of the CA zoned properties and the location of the subject property. The CA zoned areas occur in five Planning Areas: City Centre, Bridgeport, West Cambie, East Cambie and Sea Island.

Locational criteria for retail pawnshops were last considered and approved by Council in 2004, which established a 1,500 m setback to a site specific zone that permits a casino that had recently opened. Give the amount of time that has passed and significant land use changes in the City Centre since 2004, revisions to the locational criteria are warranted.

*Setbacks from Institutional Zones*

Under the current "Auto-Oriented Commercial (CA)" retail pawnshops are not permitted to locate closer than 100 m to a property zoned for institutional uses. Typical examples of institutional uses are:

- Child Care
- Education (schools and universities)
- Government service
- Health Service (major and minor)
- Religious Assembly (e.g., churches)
- Interment facility
- Congregate Housing
- Community Care facilities (major and minor)
- Recreation (outdoor – e.g., parks)
- Emergency Service

Zones including these uses would trigger the 100 m setback requirement since the location proximity criteria is measured from the zone rather than a business with a specific use.

*Proximity to Residential Zones*

Over time, properties adjacent to the CA zoned areas have undergone numerous redevelopments. Staff confirm that, the majority of properties adjacent to CA zones fall under thirteen zones that each permit residential uses. This results in considerable limitations where potential retail pawnshop business can locate without violating the locational criteria of the zone.

*Proximity to the Casino*

The CA zone also specifies a minimum 1,500 m setback from a site specific zone that permits a casino. The applicant's current location, 3779 Sexsmith Road in the Continental Shopping Centre, does not meet the casino setback criteria because of its proximity to the River Rock Casino at 8811 River Road.

*Combined Setbacks*

To illustrate the implications of the overlapping locational requirements of the CA zone for retail pawnshop use, Attachment 6 shows the same coverage of CA zoned areas but overlays the 100 m setbacks from surrounding institutional zones and residential zones and the 1,500 m setback from the casino. The two circled red highlighted properties are the only sites that could comply with the CA zone locational criteria and potentially permit a retail pawnshop use.

Note that for the purposes of illustration the institutional overlay includes only three primary uses (School and Institutional Use (SI), Assembly (ASY), and Health Care (HC)).

*Options Analysis*

Staff prepared three options for Council's consideration to address the application:

- Option 1: Modify the locational proximity criteria in the CA Zone (*recommended option*);
- Option 2: Allow the site-specific retail pawnshop use at 3779 Sexsmith Road through a text amendment to the CA zone;
- Option 3: Deny the application.

*Option 1: Modify the locational proximity criteria in the CA Zone (Recommended)*

This option proposes amendments to the "Auto-Oriented Commercial (CA)" zone to:

1. Reduce the adjacency requirement to the casino zone from 1,500 m to 750 m;
2. Eliminate the adjacency requirements for residential and institutional uses;
3. Confine retail pawnshops to only CA zoned sites within the City Centre Planning Area;
4. Permit only one pawnshop business per property;
5. Restrict the gross floor area to 200m<sup>2</sup> or less; and
6. Reinforce the requirements of the Business Regulation Bylaw No. 7538 for submission of transaction records to the RCMP.

**Pros:**

- Clarifies the location criteria.
- The 750 m setback from the Casino remains a sufficient deterrent in terms of a walking distance or an immediate proximity to the casino operations.
- Directs the use to the area in and around the No. 3 Road corridor.
- The limitation of one pawnshop business per lot provides flexibility of location within a common strata building (e.g., allows relocation within a shopping centre).
- Limits the size of any retail pawnshops to 200 m<sup>2</sup>.
- Encourages pawn brokers to operate legitimately by improving the availability of acceptable locations for their businesses.
- Allows an established Richmond business to continue operating within Richmond.

## Cons:

- Potential for more concerns about compatibility between pawn operations and nearby businesses and residents.
- Potential increase in the number of pawnshops in the City.
- Potential to increase RCMP monitoring needs over time.
- Potential Business Licence enforcement issues to increase.

*Option 2: Allow a retail pawnshop use at 3779 Sexsmith Road on a site-specific basis alternative Bylaw No. 9529 (Not Recommended)*

This option proposes amendments to the “Auto-Oriented Commercial (CA)” zone to permit the retail pawnshop at 3779 Sexsmith Road as a site specific use. The location does not meet the location criteria in the CA zone. Should Council wish to consider this alternative, Bylaw 9529 in Attachment 8 could be considered. This Bylaw would:

1. Allow the site specific use;
2. Limit the use to one pawnshop business per lot
3. Limit the gross floor area to 200 m<sup>2</sup> or less.
4. Reinforce the requirements of the Business Regulation Bylaw No. 7538 for submission of transaction records to the RCMP.

## Pros:

- Allows Council to decide on a case by case basis whether to allow each new application.
- Allows an established Richmond business to continue operating in Richmond.
- The limitation of one pawnshop business per lot provides flexibility of location within a common building.
- The maximum size of any retail pawnshop business will be limited to 200 m<sup>2</sup>.
- Business licencing will continue to regulate the use while the RCMP will continue to monitor transactions.
- Allows an established Richmond business to continue operating within Richmond.

## Cons:

- Does not address fundamental location issues for pawnshops (i.e. no clear rules on spatial separation).
- The scope of institutional land uses to determine locational criteria remains somewhat vague.
- If legitimate locations cannot be found pawnshop dealers may look to alternative approaches to conduct business.

Should Council prefer the site specific approach presented by Option 2 an alternative Bylaw 9529 is attached in Attachment 8.

*Option 3: Deny the application (Not Recommended)*

This option rejects the request to amend the locational adjacency requirements in the “Auto-Oriented Commercial (CA)” zone, based on existing locational criteria.

**Staff Recommendation**

Staff recommend support for **Option 1: Modify the locational proximity criteria in the CA Zone.** Business Licence staff do not believe that the proposed amendment to the CA zone will result in an abundance of these businesses in the Community and note that they will have the ability to monitor changes over time as per existing Bylaw practices. As any other type of business in Richmond, the market will determine whether these operations will be successful. Council can direct staff to revisit the use within the CA Zone should any concerns arise in the future.

Based on discussions with the current operator and Business Licence staff there is a market for retail pawnshops in the City. Staff believe it is preferable to have a legally permitted Retail Pawnshop use over illegally operating brokers with no monitoring of transactions by the RCMP.

*RCMP Consultation*

Staff consulted with the RCMP on the proposed pawnshop business location within the Continental Shopping Centre and on the proposed amendments to the CA zone – i.e. relaxing the adjacency requirements from other defined uses (i.e. residential, institutional, casino).

The RCMP indicated that they have no specific concerns with the proposed retail pawnshop business being located within the Continental Shopping Centre. They report that the applicant has been continuing to provide the RCMP with pawn transaction records as required under Richmond's Business Regulation (Bylaw 7538) and which are routinely monitored by the RCMP.

On the broader question of relaxing adjacency requirements, the RCMP recognize that the growth and change of uses over time have resulted in difficulties in locating retail pawnshop uses within the City. From an enforcement perspective, the RCMP indicated a preference to confining future pawnshop businesses to the Automobile Commercial (CA) zone and within the City Centre Planning Area (effectively the area in and around the No. 3 Road corridor). The RCMP did not have specific concerns with staff's proposal to eliminate setbacks from residential and institutional uses and reducing the setback from the Casino from 1,500 m to 750 m.

Through discussion with both the RCMP and Richmond's Business Licence staff, the proposed bylaw amendments incorporate language to reinforce the reporting of all pawn transactions to the RCMP as required under Richmond's Business Regulation Bylaw No. 7538.

**Financial Impact or Economic Impact**

None.

**Conclusion**

Alex Jane (AWJ Investments Inc.) has applied for permission to amend zoning district "Auto-Oriented Commercial (CA)" of the Zoning and Development Bylaw 8500 to permit a retail pawnshop use to be located at 3779 Sexsmith Road, Unit 2187. Based on discussions with the RCMP and a detailed staff review of the issue, staff recommend that the locational criteria in the CA zone for retail pawnshop be amended to reduce the adjacency requirements to the casino zone from 1,500 m to 750 m and eliminate the adjacency requirements for residential and institutional uses, limit retail pawnshop use to CA zones within the City Centre Planning area, to limit the number of retail pawnshops to one such business per lot and to restrict the size of retail pawnshops to no more than 200 m<sup>2</sup> as indicated in this report and shown in Bylaw 9528.

It is recommended that Zoning Bylaw 8500, Amendment Bylaw 9528 be introduced and given first reading.



David Brownlee  
Planner 2

DCB:dcb

Attachment 1:	Location Map
Attachment 2:	Site Plan
Attachment 3:	Development Application Data Sheet
Attachment 4:	Letter from Philip Ng, on behalf of the Strata Corporation owners
Attachment 5:	Current Auto-Oriented Commercial (CA) Zones
Attachment 6:	Existing 1500 m Casino Buffer with 100m Residential Buffer & 100 m Institutional Buffer
Attachment 7:	Proposed 750 m Casino Buffer
Attachment 8:	Alternative Bylaw 9529





City of  
Richmond



ZT 15-709967

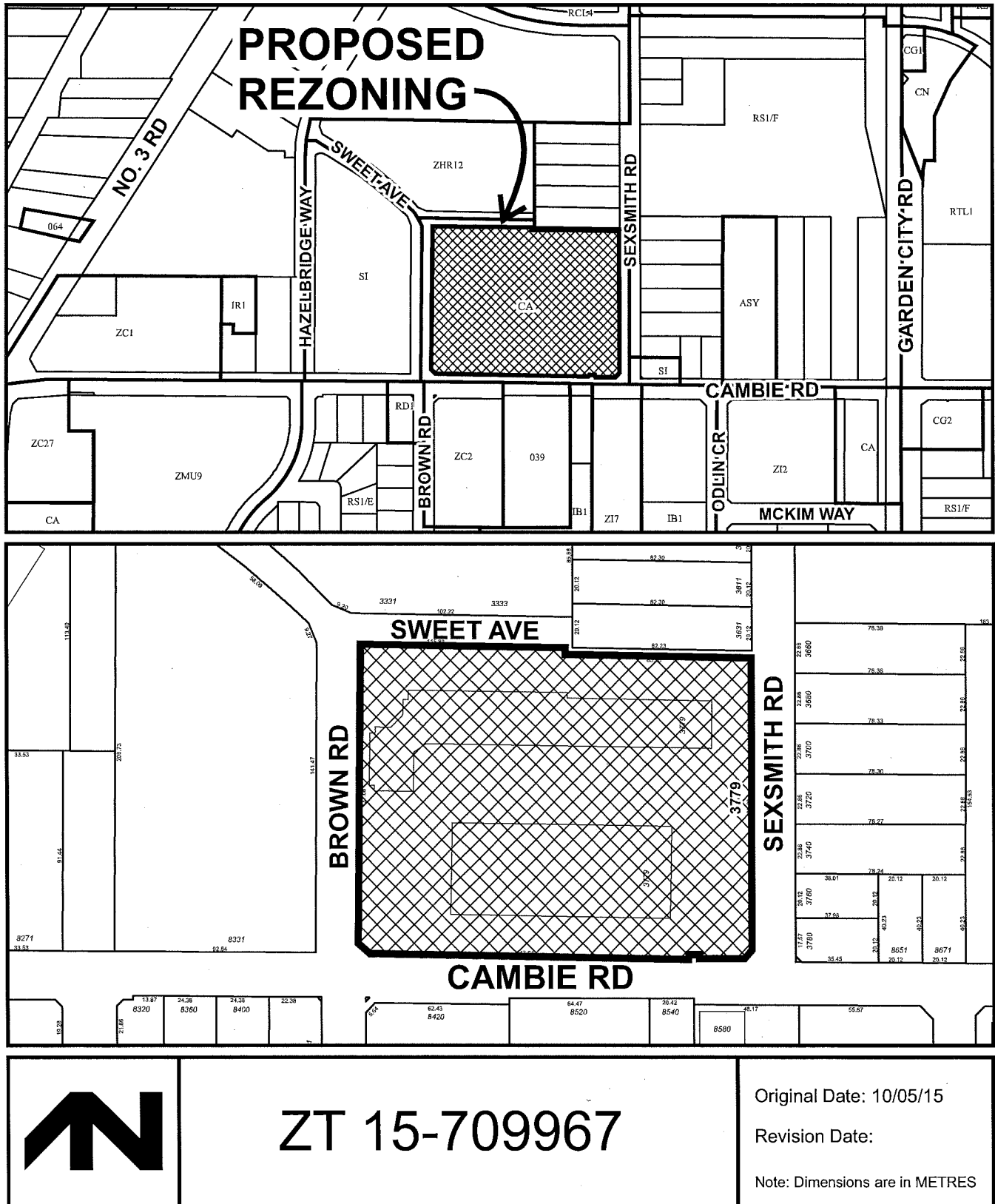
Original Date: 10/05/15

Revision Date:

Note: Dimensions are in METRES



# City of Richmond



SHEET 1 OF 16 SHEETS

W  
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R  
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L  
B

SCALE: 1:1000

—ALL DISTANCES ARE SHOWN IN METRES.  
—THIS PLAN LIES WITHIN INTEGRATED SURVEY AREA No. 18 "RICHMOND"  
—BEARINGS ARE GRID BEARINGS AND ARE DERIVED FROM OCM # 77H 4966,  
AND DOT 152  
—THIS PLAN SHOWS GROUND LEVEL MEASURED DISTANCES PRIOR TO  
COMPUTATION OF U.T.M. COORDINATES. MULTIPLY BY A COMBINED  
SCALE FACTOR OF 0.999 8037 (NAD 83)

DENOTES INTEGRATED CONTROL MONUMENT  
DENOTES STANDARD IRON POST  
DENOTES LEAD PLUG

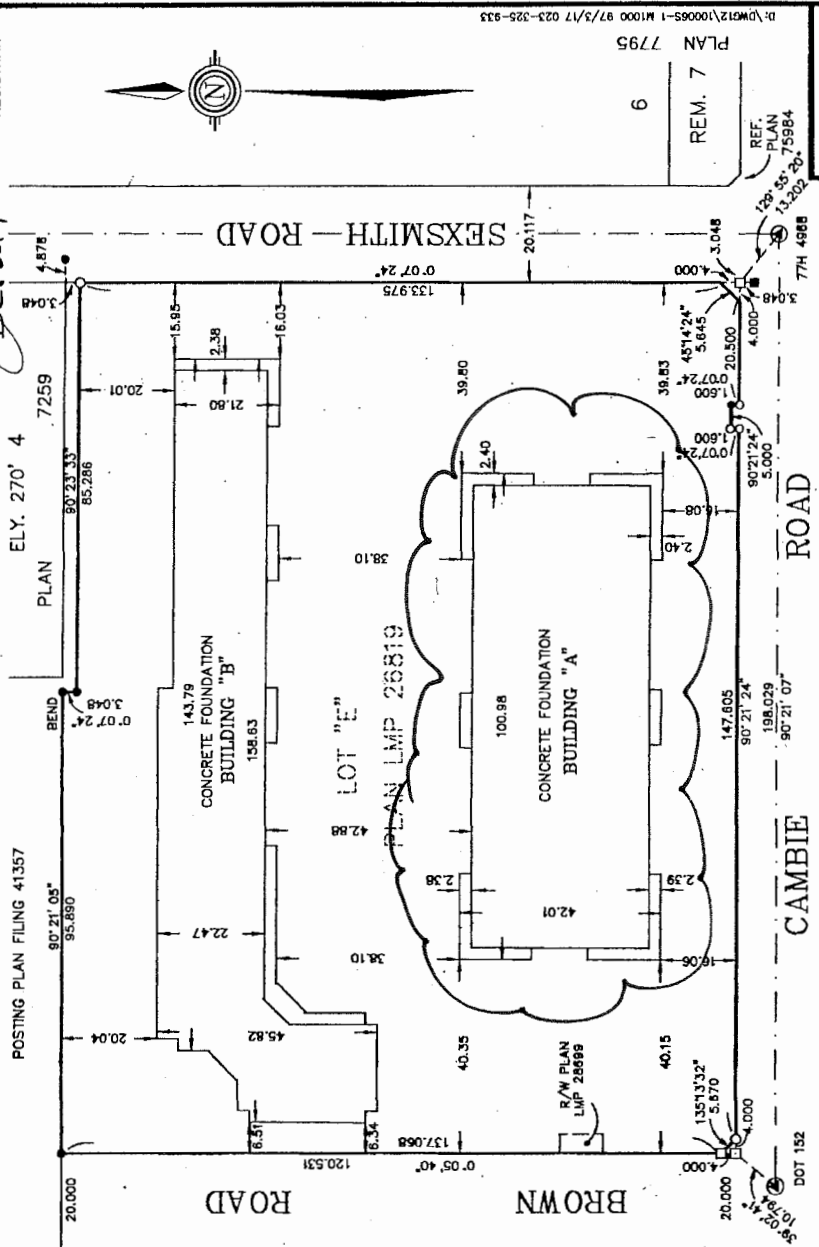
14

I, WARREN E. BARNARD OF DELTA, B.C., A BRITISH  
COLUMBIA LAND SURVEYOR, HEREBY CERTIFY THAT  
THE BUILDINGS ERECTED ON THE PARCEL DESCRIBED  
ABOVE ARE WHOLLY WITHIN THE EXTERNAL BOUNDARIES  
OF THAT PARCEL. DATED AT DELTA, B.C.,  
THIS 3rd DAY OF MARCH, 1997.

WARREN E. BARNARD  
(695) B.C.L.S.

**WATSON & BARNARD**  
B.C. LAND SURVEYORS  
1524-56th STREET  
DELTA, B.C. V4L 2A8  
TEL: 943-9433 FAX: 943-0422

FILE: 10006ST  
MAP: 28-5-6



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## STRATA PLAN LMS 2765

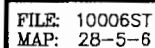
MEZZANINE FLOOR

Age Group	Number of People
5	1
4	2
3	3
2	2
1	1
0	1
5	5
10	10

S.L. DENOTES STRATA LOT  
P.T. DENOTES PART  
A DENOTES AREA (T. A = TOTAL AREA) (T.O.A = TOTAL OCCUPIABLE AREA)  
m<sup>2</sup> DENOTES SQUARE METRES  
DIGNOTES FLOOR BELOW  
(M) DENOTES COMMON PROPERTY  
(H) DENOTES HALLWAY  
(E) DENOTES ELECTRICAL/MECHANICAL ROOM (COMMON PROPERTY)  
(V) DENOTES VENTILATION SHAFT  
(BL) DENOTES ELEVATOR  
LOP DENOTES LIMITED COMMON PROPERTY STRATA LOT 1 (TYPICAL)  
□ DENOTES LEAD PLUG SET

STRATA LOT BOUNDARIES FOLLOW:

1. CENTRELINE OF WALLS ADJOINING OTHER STRATA LOTS
2. ONE CENTIMETRE INWARD FROM THE EXTERIOR FACE OF THE BUILDING
3. ONE CENTIMETRE INWARD FROM THE EXTERIOR FACE OF ANY WALL ADJOINING COMMON PROPERTY (AS VIEWED FROM THE STRATA LOT)





**Development Application Data Sheet**  
Development Applications Department

**ZT 15-709967**

**Attachment 3**

Address: 3779 Sexsmith Road, Unit 2187

Applicant: Alex Jane (AWJ Investments Inc.)

Planning Area(s): City Centre

	Existing	Proposed
<b>Owner:</b>	Marianne Yin Fong Tse, Ellis Yin Kai Tse, Annissa Yin Ha Tse	No Change
<b>Unit Size (m<sup>2</sup>):</b>	86.7 m <sup>2</sup>	No Change
<b>Land Uses:</b>	Commercial Retail	No Change
<b>OCP Designation:</b>	Mixed Use	No Change
<b>Area Plan Designation:</b>	General Urban T4 (25m) with a Village Centre Bonus	No Change
<b>Zoning:</b>	Auto-Oriented Commercial (CA)	Same but amended to permit a retail pawnshop at the subject site
<b>Other Designations:</b>	NEF Area 1A	No Change

On Future Subdivided Lots	Bylaw Requirement	Proposed	Variance
Floor Area Ratio:	Max. 0.5	No Change	none permitted
Lot Coverage – Building:	Max. 50%	No Change	none
Setback – Front Yard (m):	Min. 3.0 m	No Change	none
Setback – Side & Rear Yards (m):	Min. 3.0 m	No Change	none
Height (m):	12.0 m	No Change	none

Warrington PCI Management  
#1700-1030 West Georgia Street  
Vancouver, BC, Canada V6E 2Y3



T: 604.602.1887  
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www.warringtonpci.com

August 28, 2015

Joanne Hikida  
Supervisor, Business Licence  
6911 No. 3 Road  
Richmond, B.C. V6Y 2C1  
Phone - 604-276-4155  
Fax - 604-276-4157

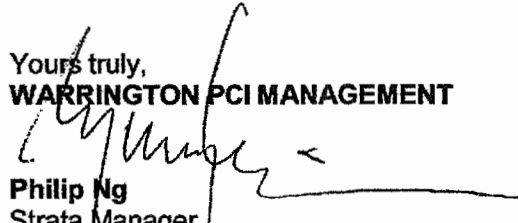
Dear Joanne,

RE: LMS2765 Unit 2187 (Richmond Pawnbrokers) Text Amendment Process

We are writing on behalf of The Owners, Strata Plan LMS2765 (The "Strata Corporation").

The strata corporation did not find any restrictions for the operation of pawnbroker business in the current bylaws of the Continental Shopping Centre; and would not raise objection for the applicant, Alex Jane to operate such business in the Continental Shopping Centre.

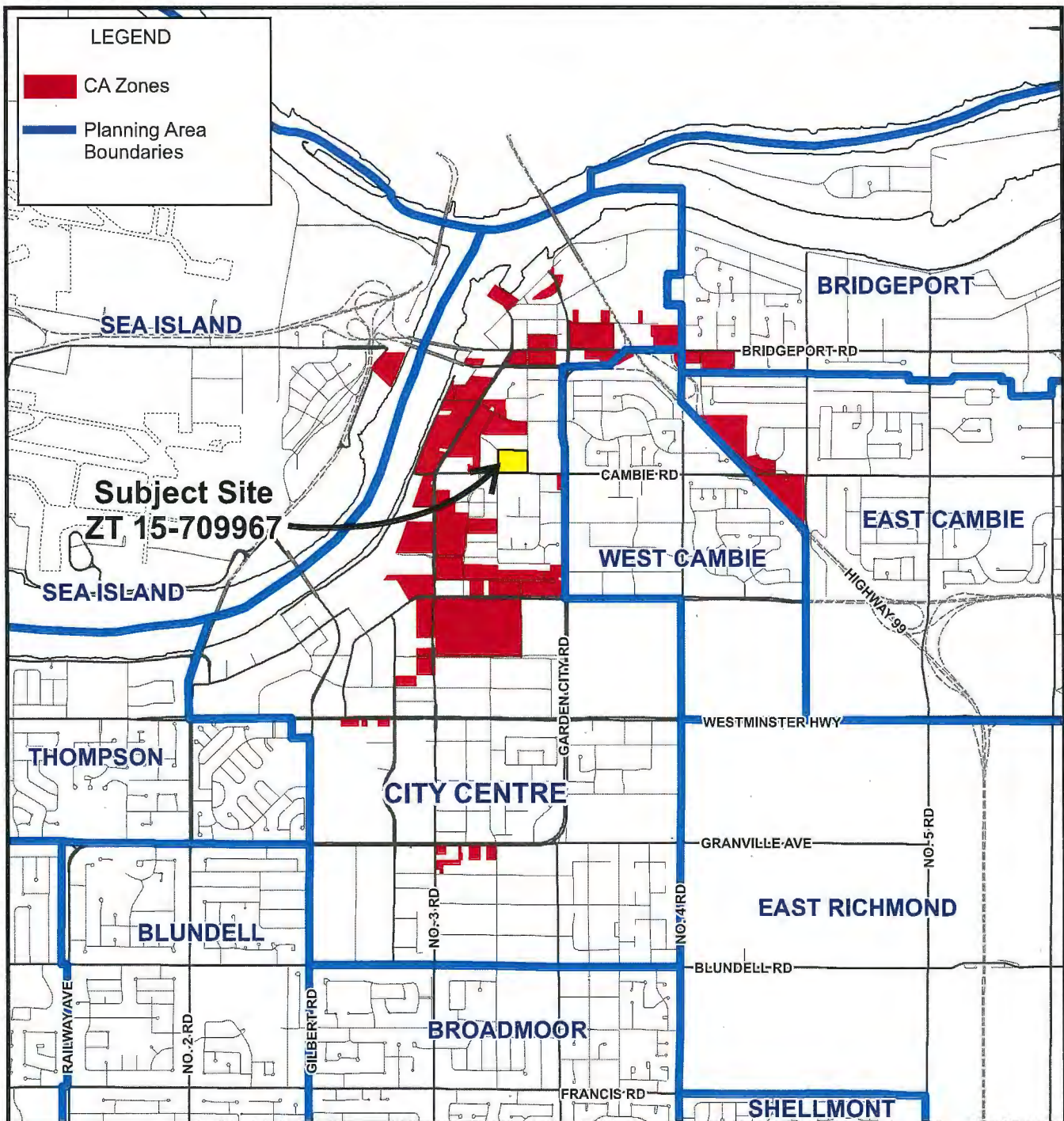
Yours truly,  
**WARRINGTON PCI MANAGEMENT**

  
**Philip Ng**  
Strata Manager  
Agent for The Owners, Strata Plan LMS2765

cc: Council



# City of Richmond



Current CA Zones

Original Date: 01/29/16

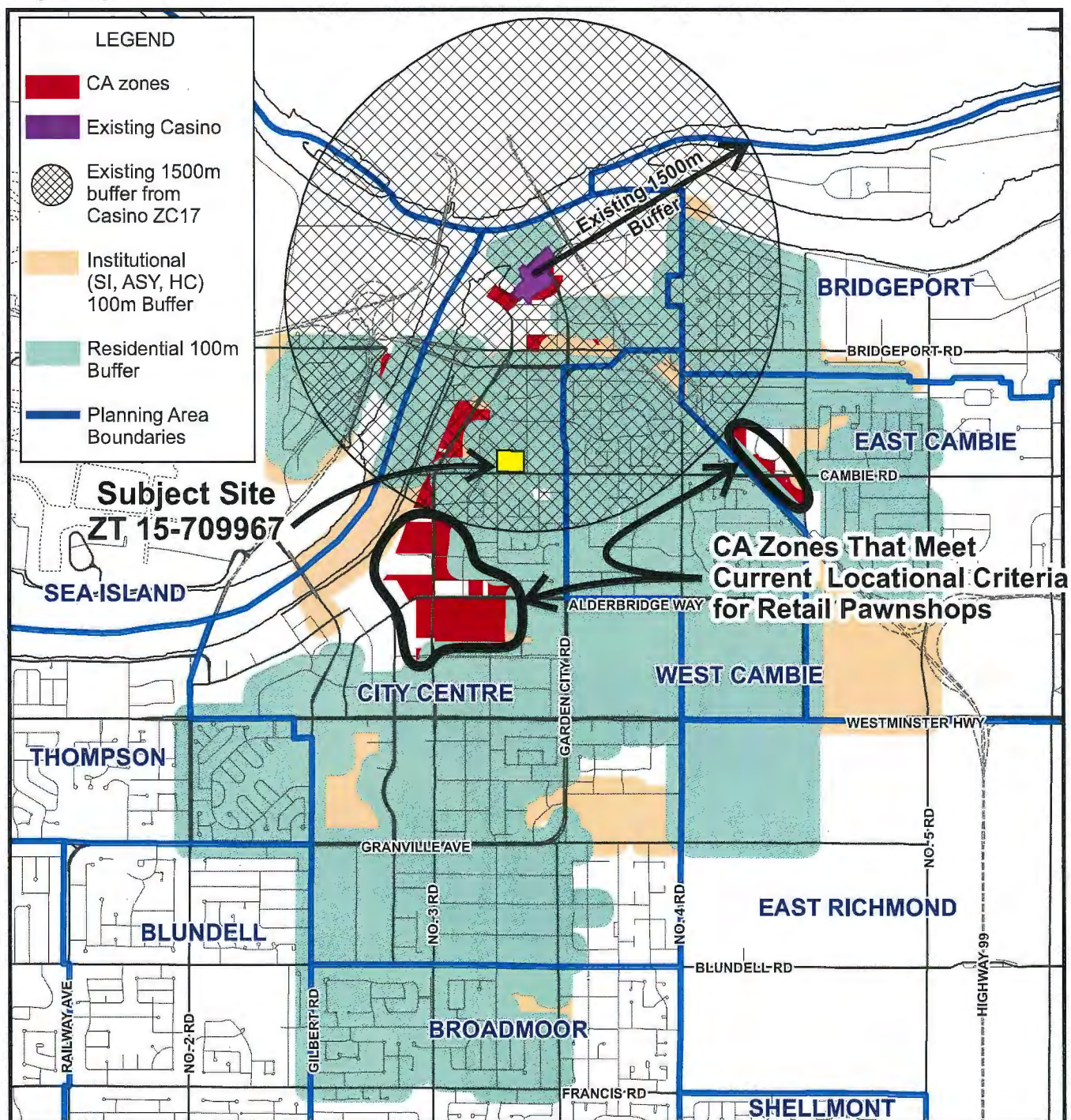
Revision Date: 02/02/16

Note: Dimensions are in METRES





# City of Richmond



Existing 1500m Casino Buffer  
with 100m Residential Buffer &  
100m Institutional Buffer

Original Date: 01/29/16

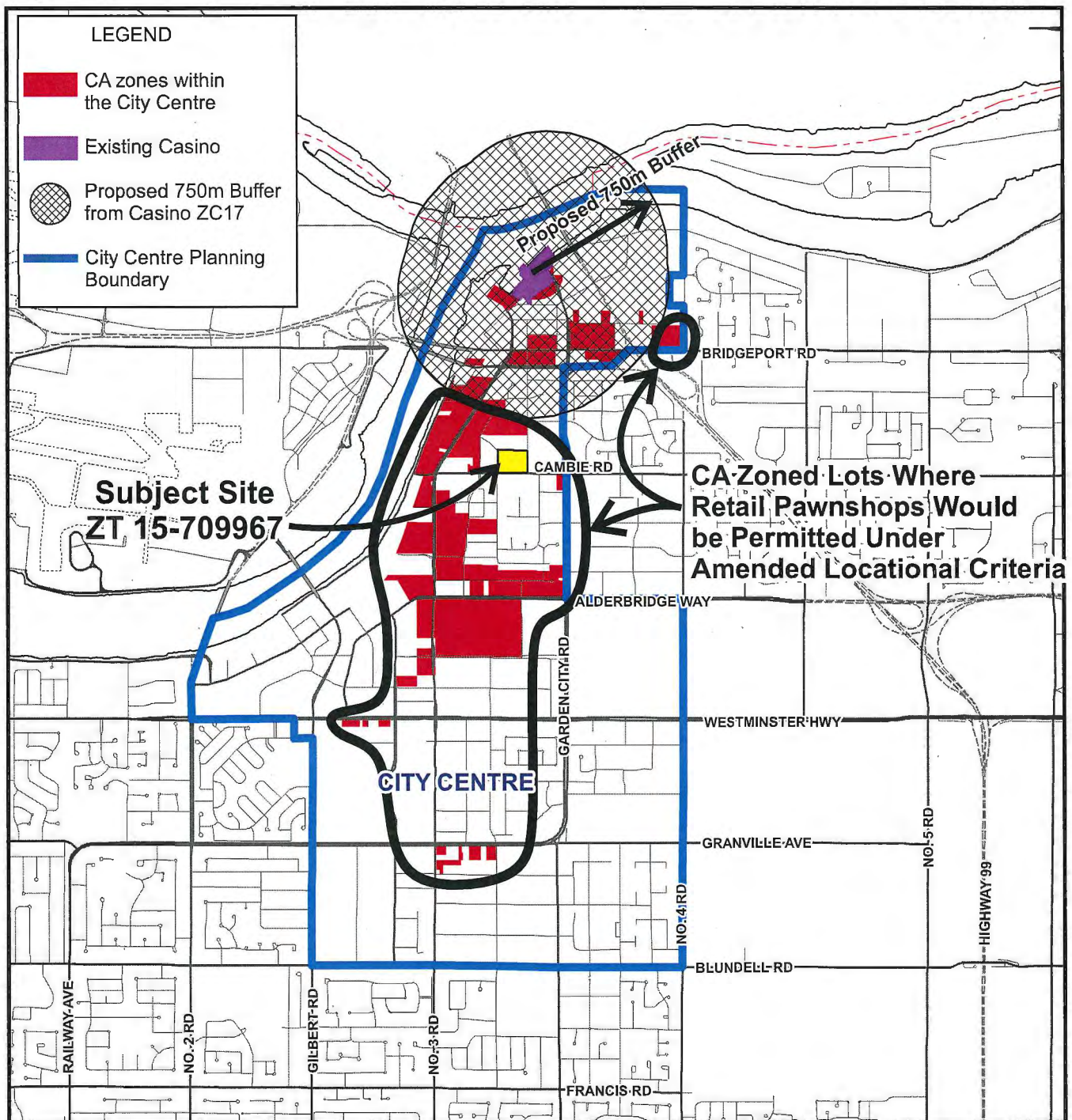
Revision Date: 02/07/16

Note: Dimensions are in METRES





# City of Richmond



Proposed 750m Casino Buffer

Original Date: 01/29/16

Revision Date: 03/07/16

Note: Dimensions are in METRES



City of  
Richmond

Bylaw 9529

**Richmond Zoning Bylaw 8500  
Amendment Bylaw 9529 (ZT 15-709967)  
3779 Sexsmith Road, Unit 2187**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw 8500 is amended by inserting the following Sections into the "Auto-Oriented Commercial (CA)" zone and renumbering subsequent Sections as necessary;
  - "10.3.11.6 Notwithstanding Section 10.3.6.5, **retail pawnshop** shall be permitted at the following site(s):
    - a) 3779 Sexsmith Road  
Strata Lot 71 Section 28 Block 5 Range 6 West New Westminster District Strata Plan LMS 2765 together with an interest in the common property in proportion to the unit entitlement of the strata lot as shown on form 1
  - 10.3.11.7 In the case of Section 10.3.11.6.a, the **retail pawnshop** at 3779 Sexsmith Road shall be limited to one (1) pawnshop business on the **lot** and that business shall have a **gross floor area** not exceeding 200 m<sup>2</sup>."
  - 10.3.11.8 **Retail pawnshop** brokers shall comply with the Business Regulation Bylaw No. 7538 and shall transfer the required pawn transaction information to the Police by means mutually agreed by both the Richmond RCMP and the Pawnbroker Operator."

2. This Bylaw may be cited as **"Richmond Zoning Bylaw 8500, Amendment Bylaw 9529"**.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

OTHER CONDITIONS SATISFIED

ADOPTED

_____
_____
_____
_____
_____
_____

CITY OF RICHMOND
APPROVED by <i>RLC</i>
APPROVED by Director or Solicitor <i>W</i>

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER



**Richmond Zoning Bylaw 8500  
Amendment Bylaw 9528 (ZT 15-709967)  
3779 Sexsmith Road, Unit 2187**

The Council of the City of Richmond, in open meeting assembled, enacts as follows:

1. Richmond Zoning Bylaw 8500 is amended by:

- a) Repealing Section 10.3.6.5 of the “Auto-Oriented Commercial (CA)” zone and replacing it with the following:

“10.3.6.5 **Retail pawnshop** shall not be located closer than 750.0 m to the **site specific zone** that permits a **casino**.”

- b) Inserting the following Sections into the “Auto-Oriented Commercial (CA)” zone and renumbering subsequent Sections as necessary:

“10.3.11.6 **Retail pawnshop** shall only be permitted within the **City Centre** and shall be limited to one (1) pawnshop **business** per **lot** and that **business** shall have a gross **floor area** not exceeding 200 m<sup>2</sup>.”

“10.3.11.6 **Retail pawnshop** brokers shall comply with the Business Regulation Bylaw No. 7538 and shall transfer the required pawn transaction information to the Police by means mutually agreed by both the Richmond RCMP and the Pawnbroker Operator.”

2. This Bylaw may be cited as “**Richmond Zoning Bylaw 8500, Amendment Bylaw 9528**”.

FIRST READING

PUBLIC HEARING

SECOND READING

THIRD READING

MINISTRY OF TRANSPORTATION

ADOPTED

\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

